

ORDINANCE NO. 251

AN ORDINANCE ADOPTING BY REFERENCE
CERTAIN PORTIONS OF THE IOWA CODE
REGARDING GOLF CARTS

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Section 1 - PURPOSE. The purpose of this Ordinance is to permit the operation of golf carts on streets alleys in the City, as authorized by Iowa Code § 321.247. This Ordinance applies whenever a golf cart is operated on any street or alley of the City of University Heights, Iowa.

Section 2 - DEFINITION. "Golf cart" means a four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf that is either electric powered or gas powered with an engine displacement of less than 351 cubic centimeters, and a total dry weight of less than 800 pounds. The following are not golf carts: side-by-side or SxS vehicles; gators; 4-wheelers, ATVs, Off-Road Vehicles, or similar vehicles.

Section 3 - OPERATION OF GOLF CARTS PERMITTED. Golf carts may be operated upon the streets and alleys of the City by persons possessing a valid Iowa driver's license who are at least eighteen (18) years old.

Section 4 - UNLAWFUL OPERATION.

1. Golf carts may be operated only on the paved portion of City streets or alleys; they may not be operated on other portions of City rights-of-way or on sidewalks (including wide sidewalks), trails, or other City property.

2. No golf cart shall be operated in a manner contrary to the rules of the road for motor vehicles established and applicable under Iowa law and City Ordinances, including but not limited to Iowa Code ch. 321 et seq. and Ordinance No. 120.
3. No golf cart shall be operated for hire; gratuitous transport of persons is permitted, but transport in exchange for consideration of any type or amount is not permitted.
4. No golf cart shall carry more passengers than the number of seats the golf cart had when it was manufactured, except that children under the age of six (6) may ride on another passenger's lap.
5. All passengers must be seated in passenger areas; passengers may not ride on trailers, wagons, or any other appurtenance or conveyance being pulled by a golf carts.

Section 5 - EQUIPMENT. Golf carts operated upon City streets and alleys shall be equipped with the following safety features:

1. A slow-moving vehicle sign.
2. A bicycle safety flag, the bottom of which shall be above the top of the golf cart.
3. Adequate brakes.
4. A rearview or driver's sideview mirror.

Section 6 - HOURS OF OPERATION. Golf carts may be operated on City streets and alleys only between sunrise and sunset.

Section 7 - PARKING. Golf carts may park in places and at times that other motor vehicles may park. No golf cart shall be parked on any private yard, except with the consent of the owner or persons in possession or the agents of either, on any day on which The University of Iowa plays football games in Kinnick Stadium.

Section 8 - PERMITS. No person shall operate a golf cart on any City street or alley, for any purpose, unless the operator possesses a City of University Height's Golf Cart Permit issued by the University Heights Police Department, with the following restrictions and regulations:

1. Permits are available and will only be issued to residents of the City. "Residents" means persons who actually live in

the City; those who own homes, condominiums, or other real property in the City but do not live in the City are not "residents" for purposes of this Ordinance.

2. Residents may apply for a Golf Cart Permit from the University Heights Police Department on forms approved by the University Heights Chief of Police.
3. The University Heights Police Department shall not issue a permit until the applicant has provided the following:
 - A. Proof that the applicant is a resident of the City.
 - B. Proof that the applicant possesses a valid Iowa driver's license.
 - C. Proof that applicant has liability insurance covering operation of golf carts on City streets in the amount required by Iowa law.
 - D. Contact information for the applicant.
 - E. Such other information requested by the University Heights Police Department that is reasonably related to the safe operation of golf carts in the City.
4. Permits must be affix to golf carts to the slow-moving vehicle sign.
5. The fee for a permit shall be twenty-five dollars (\$25.00). Permits will be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through the following December 31. The permit fee may be modified by Resolution of the City Council.
6. Permits may be suspended or revoked by the University Heights Chief of Police if the permit holder has violated the conditions of the permit. There will be no refund of the permit fee.

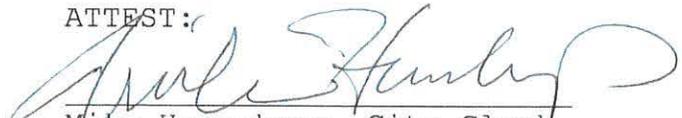
Section 9 - PENALTY. Violations of this Ordinance may be cited and punished as municipal infractions. The University Heights Police Department or the City Clerk may issue a civil citation to anyone who violates any section or provision of this Ordinance. The civil penalty is \$100.00 for a first offense and a civil penalty of \$250.00 for a repeat offense. The civil penalty is in addition to suspension or revocation of a Golf Cart Permit and in addition to any fine, penalty, or punishment associated with violating the rules of the road for motor vehicles established and applicable under Iowa law and City Ordinances.

Section 10 - SAVING CLAUSE. If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, this determination shall not affect the validity of the Ordinance as a whole or any section, provision, or part of the Ordinance not determined to be invalid or unconstitutional.

Section 11 - EFFECTIVE DATE. This Ordinance shall be effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council on this 10th day of January, 2023, and approved this 10th day of January, 2023.


Louise From, Mayor

ATTEST:

Mike Haverkamp, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this 14th day of February, 2023, before me, a notary public in and for the state of Iowa, personally appeared Louise A. From and Mike Haverkamp, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the City; and that the instrument was signed and sealed on behalf of the city, and that Louise A. From and Mike Haverkamp acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it and by them voluntarily executed.

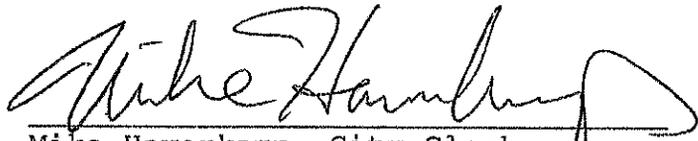


Notary Public in and for the
State of Iowa



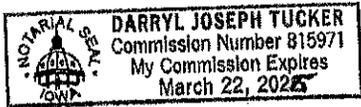
STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Mike Haverkamp, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen on the 21st day of January, 2023.


Mike Haverkamp, City Clerk

Signed and sworn to before me on the 1 day of March, 2023, by Mike Haverkamp, Clerk of the City of University Heights.


Notary Public in and for the
State of Iowa



Steve/UHeights/UHOrdinance/Ordinance 251 re golf carts on City streets - SIGNATURE